

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

MCKESSON AUTOMATION INC.
a Pennsylvania Corporation,

Plaintiff,

v.

SWISSLOG HOLDING AG,
a Swiss Corporation,
SWISSLOG MANAGEMENT AG,
a Swiss Corporation,
TRANSLOGIC CORPORATION
a Delaware Corporation, and
SWISSLOG NORTH AMERICA,
a Delaware Corporation,

Defendants.

Civil Action No. 06-028

Demand for Jury Trial

AFFIDAVIT PURSUANT TO D. DEL LR 4.1 (b)

STATE OF DELAWARE

COUNTY OF NEW CASTLE

:
:
: SS:
:

BE IT REMEMBERED that on this 13th day of February, 2006, personally came before me, the Subscriber, a Notary Public for the State and County aforesaid, Neal C. Belgam, attorney for the Plaintiff, who being sworn according to law did depose and say as follows:

1. That to the best of his knowledge, the Defendant Swisslog North America is a nonresident of the State of Delaware whose name and address is as follows:

Swisslog North America
10825 E 47th Avenue
Denver, Colorado 80239-2913

2. That on January 13, 2006, the Complaint in the above-captioned action was filed; that on January 27, 2006 the Clerk issued a Summons to serve the Secretary of State pursuant to 10 Del. C. §§ 3104 and 3111.

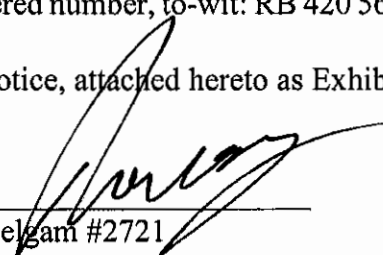
3. That on February 13, 2006, the Return of Service was filed, a copy of which is attached as Exhibit A.

4. That on January 31, 2006, the said Neal C. Belgam, Esquire, caused a copy of the Notice, attached hereto as Exhibit B, to be mailed by Registered Mail to the following defendant: Swisslog North America.

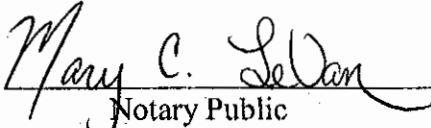
5. That on February 6, 2006, he, Neal C. Belgam, Esquire, received from the postal authority the signed domestic return receipt. The said receipt is attached hereto as Exhibit C.

6. That the said receipt has the same registered number, to-wit: RB 420 560 345 US, as the receipt received at the time of the mailing of said notice, attached hereto as Exhibit D.

Dated: February 13, 2006

By 
Neal C. Belgam #2721
BLANK ROME LLP
1201 N. Market Street, Suite 800
Wilmington, Delaware 19801
(302) 425-6400

SWORN TO AND SUBSCRIBED before me the day and year aforesaid:


Notary Public

MARY C. LEVAN
NOTARY PUBLIC
- 2 - STATE OF DELAWARE
My Commission Expires May 11, 2009

EXHIBIT A

UNITED STATES DISTRICT COURT

United States District Court District of Delaware

MCKESSON AUTOMATION INC.,

Plaintiff,

SUMMONS IN A CIVIL CASE

V.

SWISSLOG HOLDING AG, SWISSLOG
MANAGEMENT AG, TRANSLOGIC CORPORATION,
SWISSLOG NORTH AMERICA,

Defendants.

CASE NUMBER: 06-028 (KAS)

TO: (Name and address of Defendant)

SWISSLOG NORTH AMERICA
c/o Delaware Secretary of State
401 Federal Street, Suite 4
Dover, DE 19901

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Neal C. Belgam
Dale R. Dube
BLANK ROME LLP
1201 N. Market Street, Suite 800
Wilmington, DE 19801
(302) 425-6400

an answer to the complaint which is served on you with this summons, within Twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

JAN 27 2006

CLERK

DATE

(By) DEPUTY CLERK

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE <u>January 30, 2006</u>
NAME OF SERVER (PRINT) <u>Edward Jones</u>	TITLE <u>Process Server</u>

Check one box below to indicate appropriate method of service

☒ Served personally upon the defendant. Place where Delaware Secretary of State, 401 Federal Street
Dover DE 19901. Service Accepted by Nancy Cox at 4:21 pm

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were _____

☐ Returned _____

☐ Other (specify): _____

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 1/30/06 Date Edward Jones Signature of Server

32400 Krumm St St 109 Dover DE 19904
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

EXHIBIT B



Phone: (302) 425-6472
Fax: (302) 425-6464
Email: belgam@blankrome.com

January 31, 2006

VIA REGISTERED MAIL NO. RB 420 560 345 US
RETURN RECEIPT REQUESTED

Swisslog North America
10825 E 47th Avenue
Denver, Colorado 80239-2913

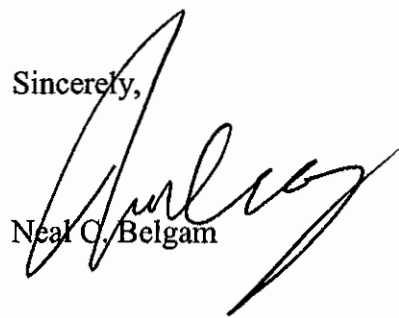
Re: *McKesson Automation Inc. v. Swisslog Holding AG., et al.*
D. Del., C.A. No. 06-028

To whom it may concern:

Please be advised that Swisslog North America has been served with Process (Summons) and Complaint in Delaware pursuant to 10 Del. C. §§ 3104 and 3111. Service of the original Summons and Complaint in the above referenced case have been served upon the Delaware Secretary of State as agent for acceptance of legal process. Under 10 Del. C. §§ 3104 and 3111, such service is as effectual to all intents and purposes as if it had been made upon Swisslog North America within Delaware.

Enclosed please find a copy of the Summons and Return of Service and the Complaint. Thank you for your attention to this matter.

Sincerely,


Neal C. Belgam

NCB:cbd
Enclosures

Chase Manhattan Centre 1201 Market Street Suite 800 Wilmington, DE 19801
www.BlankRome.com

EXHIBIT C

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature X <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p>Swisslog North America 10825 E 49th Avenue Denver, Colorado 80239-2913</p>		<p>B. Received by (Printed Name) _____ C. Date of Delivery _____</p>	
		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES enter delivery address below: <input type="checkbox"/> No</p>	
		<p>3. Service Type</p> <p><input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input checked="" type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>2. Article Number (Transfer from service label)</p>		<p>RB 420 540 345 US</p>	
PS Form 3811, February 2004		Domestic Return Receipt	
		102595-02-M-1540	

EXHIBIT D

Registered No. RB 420 500 315 US Date Stamp WINNINGTON DE 19801

To Be Completed By Post Office	Reg. Fee \$ <u>7.80</u>	Return Receipt <u>1.90</u>
	Handling Charge	
	Postage \$ <u>3.27</u>	
	Restricted Delivery	
Received by <u>Duba</u>		
To Be Completed By Customer (Please Print) All Entries Must Be in Ballpoint or Typed	Customer Must Declare Full Value \$ <u>0</u>	<input type="checkbox"/> With Postal Insurance <input checked="" type="checkbox"/> Without Postal Insurance
	Domestic Insurance up to \$25,000 is included in the fee. International indemnity is limited. (See Reverse).	
FROM	<u>Neat Belgium</u> <u>Blank Rome LLP</u> <u>1201 Market Street</u> <u>Wilmington DE 19801</u>	
TO	<u>Swisslog North America</u> <u>10825 E 47th Avenue</u> <u>Denver, Colorado 80239-2913</u>	

PS Form 3806, Receipt for Registered Mail Copy 1 - Customer
 June 2002 (See Information on Reverse)

Blank Rome

For delivery information, visit our website at www.usps.com®